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HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (227) No. 751 of 2018**

Pankaj Kumar Sahu S/o Late Krishna Kumar Sahu, Aged About 41 Years
R/o Balod Road, Near Govt. I.T.I. Pulgaon, District Balod Chhattisgarh.,
District : Balod, Chhattisgarh[Plaintiff]

---- **Petitioner****Versus**

1. Jeevrakhan Lal S/o Late Seetaram Sahu, Village Achoud, Tahsil Gunderdehi, District Balod Chhattisgarh., District : Balod, Chhattisgarh
2. Lakhanlal Sahu S/o Motilal Sahu, Head Clerk, Establishment Branch, District Office, Durg Chhattisgarh., District : Durg, Chhattisgarh
3. Smt. Vimla Bai Sahu, D/o Motilal Sahu, W/o Gopind Ram Sahu, R/o Village Tilai Pas Gathula, Tahsil And District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. Smt. Kamla Bai D/o Motilal Sahu, W/o Jyoti Prakash Sahu, R/o Kelabadi, Near Durg Laxmi Chowk, District Durg Chhattisgarh., District : Durg, Chhattisgarh
5. Smt. Rekha Bai, D/o Motilal Sahu, W/o Tilak Ram Sahu, R/o House No. 1/57 H.I.G. Borsi Colony, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
6. Smt. Devki Bai, D/o Motilal Sahu, W/o Shekhar Lal Sahu, R/o Village Sondhur Irrigation Bungla, Tahsil And District Kanker Chhattisgarh., District : Kanker, Chhattisgarh
7. Smt. Kusum Bai, D/o Motilal Sahu, W/o Chintaram Sahu, R/o Village Nipani, Tahsil Gurur, District Balod Chhattisgarh., District : Balod, Chhattisgarh
8. Smt. Gautam Bai, Wd/o Late Vishnu Sahu, R/o House No. 150, Ward No. 30, In Front Of Motipara Press Complex, Indira Market Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
9. Lokesh Sahu S/o Late Vishnu Sahu, R/o House No. 150, Ward No. 30, In Front Of Motipara Press Complex, Indira Market Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
10. Chhaya Sahu, D/o Late Vishnu Sahu, W/o Late Omkar Prasad Sonboir, R/o H.I.G. 1/324, Borsi Colony, Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
11. Smt. Sarita Sahu, D/o Late Vishnu Sahu, W/o Gangaram Sahu, R/o Agrohar Colony, Sector-2, Qtr No. C/4, Raipur, Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

12. Manisha Sahu D/o Late Vishnu Sahu, W/o Ishwar Prasad Sahu, R/o Agrohar Colony, Sector-2, Qtr. No. C/4, Raipur, Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
13. Khomlal Sahu, S/o Late Harinathram Sahu, R/o Near Kasarideeh Rao Cottage, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
14. Ishwari Prasad Sahu, S/o Late Harinathram Sahu, R/o Borsi, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
15. Yashwant Sahu, S/o Late Harinathram Sahu, R/o Village Achoud, Tahsil Gunderdehi, District Balod Chhattisgarh., District : Balod, Chhattisgarh
16. Suresh Kumar Sahu, S/o Late Harinathram Sahu, R/o Village Achoud, Tahsil Gunderdehi, District Balod Chhattisgarh., District : Balod, Chhattisgarh
17. Yuvraj Kumar Sahu, S/o Late Harinathram Sahu, R/o Indira Market, Near Prakash Bhawan, Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
18. Smt. Jhamit Sahu, W/o Chandulal Sahu, R/o Village Rahud, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
19. Smt. Rukhmani Sahu, W/o Shivkumar Sahu, R/o Qtr. No. 6 B, Avenue A. Sector-6, Bhilai, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
20. Usha Sahu, W/o Mishrilal Sahu, R/o Adarsh Nagar, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
21. Roopmati @ Guddi, W/o Khuman Sahu, R/o Se. Market, Qtr. No. B/c, Maroda Sector. Bhilai, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
22. Tahsildar, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
23. Smt. Sajwati Sahu, W/o Late Fatte Lal Sahu, Aged About 91 Years R/o Balod Road, Pulgaon, Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
24. Smt. Motin Bai Sahu, W/o Late Ram Kumar Sahu, Aged About 62 Years R/o Balod Road, Pulgaon, Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
25. Tokesh Kumar Sahu, S/o Late Ram Kumar Sahu, Aged About 45 Years R/o Balod Road, Pulgaon, Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
26. Smt. Pushpa Sahu, D/o Late Ram Kumar Sahu, W/o Lokeshwar Sahu, Aged About 41 Years R/o Qtr. No. 252/A Risali Sector, Bhilai, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
27. Smt. Sandhya Sahu, D/o Late Ram Kumar Sahu, W/o Raghvendra Sahu,

Aged About 39 Years R/o Raipura, Near Ganesh Mandir, Behind Shivshankar Hotel, Raipur, Mahadev Ghat Road, Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

28. Smt. Kanti Sahu, D/o Late Fatte Lal Sahu, W/o Daman Lal Sahu, Aged About 64 Years R/o Mukht Nagar, Borsi Road, In Front Of Sahgal Garage, Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
29. Smt. Shashi Sahu, D/o Late Fatte Lal Sahu, W/o Dayalu Ram Sahu, Aged About 60 Years R/o Marar Para, Behind Church, Balod, Tahsil And District Balod Chhattisgarh., District : Balod, Chhattisgarh
30. Smt. Manish Sahu, D/o Late Fatte Lal Sahu, W/o Mahendra Kumar Sahu, Aged About 58 Years R/o Dr. M.K. Sahu, Kasarideeh, Durg, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
31. Smt. Jayshri Shravan, D/o Late Fatte Lal Sahu, W/o Shri Ram Shravan Sahu, Aged About 53 Years R/o Flat No. 108, D.K. Tower, Sector-A, B.H.E.L. Road, Indrapuri Bhopal, Tahsil And District Bhopal (Madhya Pradesh), District : Bhopal, Madhya Pradesh
32. Smt. Bhagwantin Bai Sahu, Wd/o Late Krishna Kumar Sahu, Aged About 64 Years R/o Balod Road, Near Govt. I.T.I. Pulgaon, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
33. Smt. Ghritika Sahu, D/o Late Krishna Kumar Sahu, Aged About 40 Years R/o Village Janjgiri, Behind Man Sarowar School, Charoda, Tahsil Patan, District Durg Chhattisgarh., District : Durg, Chhattisgarh
34. Sunil Kumar Sahu, S/o Late Krishna Kumar Sahu, Aged About 38 Years R/o Balod Road, Near Govt. I.T.I., Pulgaon, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh
35. Smt. Seema Sahu, D/o Late Krishna Kumar Sahu, Aged About 36 Years R/o House No. 3/5, Ispat Nagar Risali, Bhilai, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondents

For Appellant	:	Mr. Punit Ruparel, Advocate.
For Respondents / State	:	Mr. Arun Sao, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

31/08/18

1. By the impugned order dated 07.06.2018 (Annexure – P/1), the defendants' application filed under Order 6 Rule 17 of the C.P.C. for amendment in the written statement has been allowed by the trial Court

against which this writ petition has been preferred.

2. Learned counsel for the petitioner submits that the application for amendment ought not to have been granted by the trial Court and it deserves to be set aside.

3. I have heard learned counsel for the petitioner and perused the impugned order with utmost circumspection.

4. The trial Court has clearly recorded a finding that the amendment was necessary for just and proper disposal of the suit, therefore, this Court is not inclined to interfere with the order of the trial Court. However, the petitioner/ plaintiff will be entitled to incorporate consequential amendment and also entitled to lead evidence on the amended portion. As the suit is pending consideration since 13.12.2001, the trial Court is directed to conclude the trial expeditiously, preferably within a period of two months from the date of receipt of copy of this order.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

SD/-

(Sanjay K. Agrawal)
Judge